

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

JUN 19 2019

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

United States of America)

v.)

TIMOTHY BAKHARI MOTLEY)

Case No: 7:94CR40106-019

USM No: 04938-084

Date of Previous Judgment: 04/21/2015)

(Use Date of Last Amended Judgment if Applicable)

) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 360 months is reduced to 301 months*.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 19	Amended Offense Level: 19
Criminal History Category: V	Criminal History Category: V
Previous Guideline Range: 60 to 71 months	Amended Guideline Range: 57 to 71 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☒ Other (explain):

The age of the offense and Defendant, along with the change in the law with regards to multiple 924(c) convictions, warrant a sentence below the applicable guidelines range.

III. ADDITIONAL COMMENTS

*Defendant is sentenced to 301 months or time served, whichever is greater. Defendant's sentence consists of: 1 month on Counts 1, 19, 25, 27, 28, 29, 31, 33, and 40, all to run concurrently; 60 months on Count 32, to run consecutively to all other counts; and 240 months on Count 34, to run consecutively to all other counts.

Except as provided above, all provisions of the judgment dated 04/21/2015 shall remain in effect.

IT IS SO ORDERED.

Order Date:

June 19, 2019

[Signature]
Judge's signature

Effective Date:

(if different from order date)

Hon. Jackson L. Kiser, Senior U.S. District Judge

Printed name and title